

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 441

Introduced by Senator Ducheny

February 26, 2009

~~An act relating to corrections.~~ *An act to amend Sections 6024 and 6027 of, and to add Sections 6027.1 and 6027.2 to, the Penal Code, relating to corrections.*

LEGISLATIVE COUNSEL'S DIGEST

SB 441, as amended, Ducheny. Corrections: ~~Department of Community Corrections.~~ *Corrections Standards Authority.*

Existing law provides that there is established within the Department of Corrections and Rehabilitation the Corrections Standards Authority.

This bill would provide that, commencing July 1, 2010, the Corrections Standards Authority shall no longer be within the Department of Corrections and Rehabilitation.

Existing law provides that it is the duty of the Corrections Standards Authority to make a study of the entire subject of crime, as specified, and to report its findings, conclusions, and recommendations to the Governor and the Legislature at such times as they may require.

This bill would make certain revisions in regards to what that study is to include.

This bill would also provide that it shall be the duty of the Corrections Standards Authority to study methods to improve coordination and effectiveness between state parole and local law enforcement, and to report its findings, conclusions, and recommendations to the Governor and the Legislature on or before July 1, 2010.

This bill would require the Corrections Standards Authority, in consultation with the Legislative Analyst's Office, contingent upon

funding, to conduct an evaluation and report regarding the effect of concurrent parole and probation sentences on state and local governments and the levels of coordination between the state and counties in these cases and to include recommendations on how to effectively reduce the numbers of individuals sentenced to concurrent parole and probation and the effect on state and local public safety resources.

~~Existing law generally regulates the supervision of parolees and probationers.~~

~~This bill would express the intent of the Legislature to enact legislation that would create the Department of Community Corrections and that would transfer parole and probation programs and services to that department.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 6024 of the Penal Code is amended to*
2 *read:*

3 6024. Commencing July 1, 2005, there is hereby established
4 within the Department of Corrections and Rehabilitation the
5 Corrections Standards Authority. As of July 1, 2005, any reference
6 to the Board of Corrections refers to the Corrections Standards
7 Authority. As of that date, the Board of Corrections is abolished.
8 *Commencing July 1, 2010, the Corrections Standards Authority*
9 *shall no longer be within the Department of Corrections and*
10 *Rehabilitation.*

11 *SEC. 2. Section 6027 of the Penal Code is amended to read:*

12 6027. It shall be the duty of the ~~Board of Corrections~~
13 *Corrections Standards Authority* to make a study of the entire
14 subject of crime, with particular reference to conditions in the State
15 of California, including causes of crime, ~~possible methods of~~
16 ~~prevention of crime, methods of best practices in the field of crime~~
17 *prevention*, detection of crime and apprehension of criminals,
18 methods of prosecution of persons accused of crime, and the entire
19 subject of penology, including standards and training for
20 correctional personnel, and to report its findings, ~~its~~ conclusions,
21 and recommendations to the Governor and the Legislature at such
22 times as they may require.

SEC. 3. Section 6027.1 is added to the Penal Code, to read:

6027.1. It shall be the duty of the Corrections Standards Authority to study methods to improve coordination and effectiveness between state parole and local law enforcement, and to report its findings, conclusions, and recommendations to the Governor and the Legislature on or before July 1, 2010.

SEC. 4. Section 6027.2 is added to the Penal Code, to read:

6027.2. The Corrections Standards Authority shall, in consultation with the Legislative Analyst's Office, contingent upon funding, conduct an evaluation and report regarding the effect of concurrent parole and probation sentences on state and local governments and the levels of coordination between the state and counties in these cases. This report shall include recommendations on how to effectively reduce the numbers of individuals sentenced to concurrent parole and probation and the effect on state and local public safety resources.

~~SECTION 1. It is the intent of the Legislature to enact legislation that would do all of the following:~~

~~(a) Enact an act that shall be known and may be cited as the California Community Corrections Act of 2009.~~

~~(b) Establish the Department of Community Corrections.~~

~~(c) Transfer all adult parole services, without regard to whether the parole program has been formally created by statute, currently operated by the Department of Corrections and Rehabilitation to the Department of Community Corrections.~~

~~(d) Transfer all county probation services to the Department of Community Corrections.~~

~~(e) Authorize the Governor to make final decisions regarding the placement of specific programs and offices that are not formally created by statute or specified in this measure in a way that is consistent with the intent of the Legislature in establishing the Department of Community Corrections, and the spirit of this measure.~~

~~(f) Create stronger, more focused leadership, increased public safety, and reduced recidivism by prioritizing parolee and probationer integration through the provision of targeted risk reduction strategies and appropriate coordination of case management, educational and vocational training, job placement, community-based treatment, and rehabilitation services.~~

1 ~~(g) Create a department that has sufficient focus and~~
2 ~~collaboration on public safety and parolee and probationer~~
3 ~~rehabilitation to create a more effective and efficient public safety~~
4 ~~infrastructure, thereby resulting in decreased crime rates,~~
5 ~~incarceration rates, and recidivism.~~

O